

### **REMARKS**

This amendment in reply to the Final Office Action of November 12, 2003 is being filed concurrently with a Request for Continued Examination.

Claims 1, 2, 4-23, and 25-36 are pending, with claims 1, 14, 21, and 25 being independent. Claims 3 and 24 are canceled by this amendment without waiver or prejudice. Claims 35 and 36 are being added by this amendment.

#### **Claims 1-13 and 21**

Claims 1-13 and 21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Wical (5,940,821).

Applicants have amended claims 1 and 21 to obviate this rejection by incorporating the features of dependent claims 3 and 24, respectively.

As amended, claims 1 and 21 recite, a method (claim 1) and a computer program (claim 21) for performing a category search to identify to categories of items that relate to a search term that includes, inter alia, receiving at least one search term, where the search term includes at least one search term word. A search term is compared with a hierarchy of category identifiers to determine whether matches exist by comparing the search term word with one or more words in the hierarchy of category identifiers. At least one matching category identifier is identified based on the matches that are determined to exist between the search term word and the words of the hierarchy of category identifiers. The search term word is compared with terms related to one or more categories to determine whether matches exist, where the terms related to one or categories include a name and a description of a web site corresponding to a category. At least one matching category identifier is identified based on the matches that are determined to exist between the search term word and the terms related to one or more categories.

Applicants request withdrawal and reconsideration of the rejection because Wical fails to describe or suggest a method/program for performing a category search that performs the recited two comparisons to identify matches of the search term by matching the search term word with one or more words in a hierarchy of category identifiers and by matching the search term word

with terms related to one or more categories, where the terms related to one or more categories include a name and a description of a web site corresponding to a category. Wical also fails to describe or suggest identifying at least one matching category identifier based on the matches that are determined to exist between the search term word and the name and a description of a web site.

Amended claims 1 and 21 include the features previously recited in now canceled dependent claims 3 and 24, specifically that the related terms include a name and a description of a web site corresponding to a category. The Office Action relies upon Figs. 10C and 11A and the corresponding text of Wical to reject the features recited in claim 3, which are now incorporated in amended independent claim 1. Fig. 10C of Wical merely shows a category name and a list of three documents. No text in Wical corresponds to Fig. 10C, and in fact, Fig. 10C is not even described in the Brief Description of the Drawings. Fig. 11A is described in the Brief Description of the Drawings as illustrating an example display of the search and retrieval system to the query "stocks." Fig. 11A merely illustrates a list of categories and a number of documents within each category that appear to be provided as part of the formatted display of the search results. Nowhere in Figs. 10C and 10A or the text corresponding to Fig. 11A in Wical describes that a search term word is compared with terms related to one or more categories to determine whether matches exist, where the terms related include a name and a description of a web site corresponding to a category. The fact that Figs. 10C and 11A illustrate a display of search results that include a list of documents (Fig. 10C) and list of categories with a number of documents in each category (Fig. 11A) merely illustrates a format for the display of search results. Those figures do not describe or suggest that a comparison was performed between a search term and a name and a description of a web site. Nowhere does Wical describe or suggest comparing a search term word entered as part of a query with terms that are related to one or more categories and that include a name and a description of a web site corresponding to a category.

Furthermore, Wical does not describe or suggest identifying at least one matching category identifier based on matches that are determined to exist between the search term word

and the terms related to one or more categories. Thus, as recited in amended claims 1 and 21, the comparison between the search term word and the terms related to one or more categories, including the name and the description of a web site corresponding to a category, results in the identification of matching category identifiers. Wical fails to describe or suggest that category identifiers are identified as a result of the comparison of the search term word and the terms related to one or more categories, wherein the terms include a name and a description of a website corresponding to a category.

For the rejection of claim 24, which is now recited in independent claim 21, the Office Action relies upon Wical col. line 47 to col. 6, line 41. The relied upon portion of Wical for the rejection of claim 24 does not describe or suggest comparing a search term word with terms related to one or more categories to determine whether matches exist, where the terms related include a name and a description of the web site corresponding to a category.

For at least these reasons, Applicants respectfully request reconsideration and withdrawal of the § 102(e) rejection of claims 1 and 21, and their dependent claims 2 and 4-13.

As a final matter, and as pointed out in a previous response to an Office Action, the correct patent number for Wical is 5,940,821, as noted above and distinguished from the notation provided in the Office Action text.

#### **Claims 14-20 and 25-34**

Claims 14-20 and 22-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wical in view of Snow et al. (6,055,540). Applicants have amended independent claims 14 and 25 to obviate this rejection.

As amended, claims 14 and 25 recite a method (claim 14) and a computer program (claim 25) for performing a search to identify web sites in categories of web sites that relate to a search term that include, inter alia, accessing a list of previously received search terms stored in an electronic data store that were used to perform searches. The search term and the list are compared to determine whether matches exist between the search term and the list of previously received search terms. The search term is also compared with a list of recommended items to

determine whether matches exist. Results are displayed based on the matches determined to exist, where the matches between the search term and the list of previously received search terms are displayed as a list of related search terms that were entered for previously performed searches. The matches between the search term and the list of recommended items are displayed as a list of recommended web sites that are identifiably designated as recommended web sites. Applicants request reconsideration and withdrawal of the rejection because Wical and Snow, either alone or in combination, do not disclose or suggest these features. Wical is not relied upon in the Office Action to support a showing of these features. As acknowledged in the Office Action, Wical does not disclose or suggest comparing the search term with a list of recommended items to determine whether matches exist and comparing the search term with previously performed searches to determine whether matches exist.

Snow fails to overcome the Wical shortcomings and does not describe or suggest the features now recited in amended claims 14 and 25. Instead, Snow discloses that after a user performs a search and after the search results are obtained, the user can modify the original search terms to further limit the search. Snow, col. 7, lines 45-61. However, this does not describe or suggest the features recited in amended claim 14 including accessing a list of previously received search terms that were used to perform searches, comparing the search term with the list of previously received search terms, and displaying the results as a list of related search term that were entered for previously performed searches. Thus, by comparing the current search term with a list of other searches that were previously performed, the user is presented with a list of related search terms that have been previously performed to obtain search results.

Furthermore, Snow fails to describe or suggest comparing the search term with a list of recommended items and displaying matches obtained from that search as a list of recommended web sites that are identifiably designated as recommended web sites. Instead, Snow describes comparing the search terms to relevant document vectors created by the document indexing of the document directory hierarchy. Snow, col. 8, lines 25-38.

### **Claims 22 and 23**

For at least these reasons, Applicants respectfully request withdrawal of the § 103(a) rejection of claims 14 and 25, and their dependent claims 15-20 and 26-34.

Claims 22 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wical in view of Snow. Claims 22 and 23 depend from independent claim 21. For at least the reasons discussed above with respect to claim 21, Wical fails to describe or suggest the features of claim 21. Snow is not relied upon on the Office Action, nor can it properly be said to remedy the above-noted Wical shortcomings. Thus, the combination of Wical and Snow fails to describe or suggest the claim 21 features or the features of its dependent claims 22 and 23. Moreover, in view of the respective dependence upon claim 21, Applicants respectfully request the withdrawal of § 103(a) rejection of claims 22 and 23.

### **Claims 35 and 36**

New claims 35 and 36 depend from independent claims 14 and 25, respectively. For at least this reason, Wical and Snow, either alone or in combination, fail to describe or suggest the features of claims 35 and 36. Applicants respectfully request that new claims 35 and 36 be allowed.

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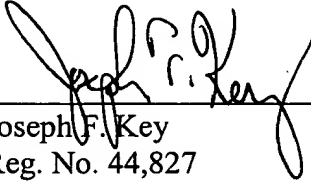
Attorney's Docket No.: 06975-076001 / Search 01

Enclosed is a \$880 check of which \$110 is for the Petition for Extension of Time fee and \$770 is for the RCE. During the prosecution of this application, please apply any deficiencies or credits to deposit account 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

2/17/2004

  
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